

RECEIVEDUSDC, WESTERN DISTRICT OF LA
ROBERT M. SHERWELL, CLERK**United States District Court**
Western District of Louisiana**UNITED STATES OF AMERICA**
V.
DENNIS INGLES**SECOND AMENDED JUDGMENT IN A**
CRIMINAL CASE

Case Number: 04-50088-01

USM Number: 12314-035

Joseph S. Woodley
Defendant's Attorney***Pursuant to remand by the Fifth Circuit Court of Appeals, defendant is resentedenced as set forth in this Second Amended Judgment.****THE DEFENDANT:**

- ☐ pleaded guilty to count(s): ____
- ☐ pleaded nolo contendere to count(s) ____ which was accepted by the court.
- * ☒ was found guilty on count(s) One and Two of the Indictment after a plea of not guilty.

COPY SENT:
DATE: 7/14/06
BY: DM
TO: USM > 3 cert.
USP**ACCORDINGLY**, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>	<u>Date Offense Concluded</u>
18 U.S.C. § 371	Conspiracy	1	10/02/2003
18 U.S.C. §§ 1343 & 2	Wire Fraud	2	06/03/2003
*			

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) ____.
- ☐ Count(s) ____ ☐ is ☐ are dismissed on the motion of the United States.

IT IS ORDERED that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and the United States attorney of any material change in the defendant's economic circumstances.

June 2, 2006
Date of Imposition of Judgment
Donald E. Walter
Signature of Judicial OfficerDONALD E. WALTER, United States District Judge
Name & Title of Judicial Officer
July 14, 2006
Date

DEFENDANT: DENNIS INGLES
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IMPRISONMENT

*The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 60 months as to Count One and 66 months as to Count Two. Both counts are to run concurrently.

☒ The court makes the following recommendations to the Bureau of Prisons:

The Court recommends that the Bureau of Prisons give due consideration to defendant's past substance abuse history and consider him for enrollment in the Bureau of Prisons substance abuse treatment program.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:
☐ at ____ ☐ a.m. ☐ p.m. on ____.
☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
☐ before 2 p.m. on ____.
☐ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

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SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

MANDATORY CONDITIONS (MC)

1. The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. The defendant shall not commit another federal, state, or local crime.
3. The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
4. ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
5. ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
6. ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
7. ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
8. ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)
9. If this judgment imposes a fine or a restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.
10. The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION (SC)

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependants and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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SPECIAL CONDITIONS OF SUPERVISION (SP)

1. The defendant is prohibited from incurring new credit charges or opening additional lines of credit without approval of the probation officer.
2. The defendant shall be required to provide the Probation Officer access to any requested financial information.
3. The defendant shall participate in a substance abuse program as directed by the Probation Office, to include antabuse and drug surveillance, if indicated, and/or inpatient treatment.
4. The defendant shall make restitution jointly and severally with his codefendant directly to the U.S. Clerk of Court in the amount of \$16,691.74 at the monthly rate of not less than 20% of his gross monthly income. Payments should be made to U.S. Clerk of Court and forwarded to the insurance company based on the address submitted below:

State Farm Insurance Company
RE: Claim Number 18-A170-559
P.O. Box 72489
Bossier City, LA 71172
318/741-8025

The defendant shall make restitution payments from any wages he may earn in prison in accordance with the Bureau of Prisons financial responsibility program. Any portion of the restitution that is not paid in full at the time of defendant's release from imprisonment shall become a condition of his supervision.

The Court finds the defendant does not have the ability to pay interest and the Court waives the interest requirement in this case.

The defendant shall notify the U.S. Attorney for this district within 30 days of any change of mailing and residence address that occurs while any portion of the restitution remains unpaid.

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CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	* \$ 200.00	\$	\$ 16,691.74

- ☐ The determination of restitution is deferred until __. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.
- ☐ The defendant must make restitution (including community restitution) to the following payees in the amounts listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Restitution Ordered</u>
State Farm Insurance Company RE: Claim Number 18-A170-559 P.O. Box 72489 Bossier City, LA 71172	\$16,691.74
TOTALS:	\$ <u>16,691.74</u>

- ☐ Restitution amount ordered pursuant to plea agreement \$ __
- ☐ The defendant must pay interest on restitution and a fine of more than \$2500, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. §3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. §3612(g).
- ☐ The court determined that the defendant does not have the ability to pay interest, and it is ordered that:
- ☐ The interest requirement is waived for the ☐ fine ☐ restitution.
- ☐ The interest requirement for the ☐ fine ☐ restitution is modified as follows:

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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A ☒ Lump sum payment of *\$ 200.00 due immediately, balance due
 ☐ not later than __, or
 ☒ in accordance with ☐ C, ☐ D, or ☐ E or ☒ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal ____ (e.g., weekly, monthly, quarterly) installments of \$ ____ over a period of ____ (e.g., months or years), to commence ____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal ____ (e.g., weekly, monthly, quarterly) installments of \$ ____ over a period of ____ (e.g., months or years), to commence ____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within ____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties:

The defendant shall make restitution jointly and severally with his codefendant directly to the U.S. Clerk of Court in the amount of \$16,691.74 at the monthly rate of not less than 20% of his gross monthly income. Payments should be made to U.S. Clerk of Court and forwarded to the insurance company based on the address submitted below:

State Farm Insurance Company
RE: Claim Number 18-A170-559
P.O. Box 72489
Bossier City, LA 71172
318/741-8025

The defendant shall make restitution payments from any wages he may earn in prison in accordance with the Bureau of Prisons financial responsibility program. Any portion of the restitution that is not paid in full at the time of defendant's release from imprisonment shall become a condition of his supervision.

The Court finds the defendant does not have the ability to pay interest and the Court waives the interest requirement in this case.

The defendant shall notify the U.S. Attorney for this district within 30 days of any change of mailing and residence address that occurs while any portion of the restitution remains unpaid.

The Court orders that any federal income tax refund payable to the defendant from the Internal Revenue Service will be turned over to the Clerk of Court and applied toward any outstanding balance with regard to special assessment and restitution.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

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☒ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number).

Willie Hilson 04-50088-03

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States: